



Image

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PTO/SB/21 (02-04) (AW 02/2004)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/850,371
	Filing Date	May 7, 2001
	First Named Inventor	Mitchell J. Sparrow
	Art Unit	2857
	Examiner Name	Carol S. W. Tsai
Total Number of Pages in This Submission 3	Attorney Docket No.	ITT 3.0-004

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual Name	Jacques L. Etkowicz	Registration No. (Attorney/Agent)	41,738
Signature			
Date	March 18, 2004		

CERTIFICATE OF TRANSMISSION / MAILING			
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Appln. No.: 09/850,371  
Response Dated March 18, 2004  
Reply to Notice of Allowance of March 3, 2004

ITT 3.0-004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No.: 09/850,371  
Applicant: Mitchell J. Sparrow et al.  
Filed: May 7, 2001  
Title: INSTANTANEOUS MEASUREMENT OF SIGNAL POLARIZATION  
TC/A.U.: 2857  
Examiner: Carol S. W. Tsai  
Confirmation No.: 2536  
Docket No.: ITT-3.0-004

**COMMENTS ON STATEMENT OF  
REASONS FOR ALLOWANCE**

Mail Stop Issue Fee  
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Sir:

Responsive to the Examiner's statement of reasons for allowance, included with the Notice of Allowability dated March 3, 2004, Applicants make the following statement.

Pursuant to 37 C.F.R. § 1.104(e), the Applicants respectfully disagree with the Examiner's statement of reasons for allowance to the extent that the statement might be construed in any way to limit the scope of the allowed claims. Applicants also note that the statement includes for the first time an apparatus based characterization of U.S. Patent 4,556,888 to McNaul. Applicants respectfully disagree with this overly broad interpretation of the McNaul reference. In addition, the Examiner appears to have misstated independent claim 1 by rearranging portions of the claim in a way so as to be confusing. Further, the reasons for allowance are vague by including the statement "and including all of the other limitations in the respective independent claims." This statement may erroneously be interpreted as meaning that the features of all independent claims need to be combined in


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order to be patentable over the McNaul reference. Because this statement is obviously erroneous, it should be stricken.

Respectfully submitted,

RatnerPrestia

  
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Jacques L. Etkowicz, Reg. No. 41,738  
Attorney for Applicants

JLE/kc

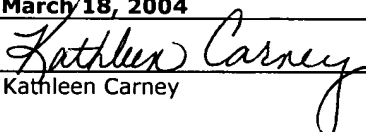
Dated: March 18, 2004

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(610) 407-0700

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**March 18, 2004**

  
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Kathleen Carney

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